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January 31, 1995

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Ex Parte

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: ET Docket 94-320 Reallocation of Government Spectrum

I understand that the FCC will very soon be addressing the reallocation of 50 MHz of government spectrum to the private sector (ET Docket 94-32). In December, Bell Atlantic filed comments in this proceeding asking the Commission to allocate the 2390-2400 MHz band exclusively for "wireless loops". I would like to reiterate the need for such an allocation.

As local exchange carriers ("LECs") continue to upgrade their networks to enable them to offer services as part of the National Information Infrastructure ("NII"), they must have access to a variety of technological alternatives, including wireless technologies. This flexibility is imperative if they are to support a wide variety of local loop services in the most efficient and economical manner. LECs provide service universally to more than 200 million persons across the U.S. By allocating this spectrum for wireless loops, the Commission can ensure that the spectrum is put to its best and most valued use and that the greatest benefit to the public is attained. Of all the alternative proposals, a wireless loop allocation provides the greatest potential benefit to the greatest number of customers and is the best means of advancing the Commission's stated goal of "providing for the introduction of new services and the enhancement of existing services".

No existing allocation provides sufficient spectrum resources, and the technical and operational flexibility, that is needed for local loop services. For example, the Rural Radio Service (47 C.F.R., Part 22, Subpart H) has access to less than 4 MHz of spectrum, spread across three separate bands. Much of this spectrum is shared with paging and other public mobile services, making it difficult to utilize this spectrum for fixed services. Further, this service has technical and operational limitations which make it unsuitable for future wireless loop applications.

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Mr. William Caton

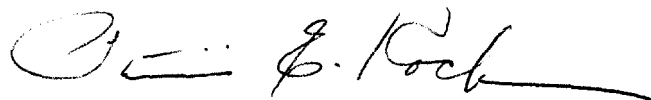
Similarly, the PCS spectrum currently being auctioned is unsuitable for wireless loops since it is limited to mobile applications except on an ancillary basis. Ms. Keeney confirmed this fact in her letter to Mr. A. Thomas Carroccio, of Santarelli, Smith & Carroccio, on November 15, 1994. In this letter, Ms. Keeney stated that "PCS includes fixed services ancillary to or in support of the provision of a wide range of portable and mobile wireless communications services...", and described several examples of permissible fixed services. This description was somewhat ambiguous, but did not appear to include wireless loop applications. While this is instructive and helpful, it lacks the specificity for a corporation like Bell Atlantic to make the magnitude of investment that would be required.

The 2390-2400 MHz band is particularly well suited for wireless loop services, both from an economic as well as a technical perspective. Due to their frequency propagation characteristics, higher frequencies would require a larger number of base stations to cover the same geographic area, thus resulting in higher costs. Higher frequency systems are also more susceptible to fading, and thus might experience more frequent service outages than those operating on lower frequencies. Most importantly, we believe that affordable radio systems will be available at 2400 MHz before they are available at higher frequencies.

Bell Atlantic urges the Commission to reallocate the 2390-2400 MHz band exclusively for wireless loops. Doing so would ensure the availability of potentially more efficient and more economical alternatives for deploying local loop services. In the alternative, the Commission should adopt a flexible allocation plan which would make this spectrum generally available to fixed and mobile services. Technical and operational rules should also be adopted which promote maximum flexibility in utilizing this spectrum for a variety of services, including wireless local loops.

If you would like to discuss Bell Atlantic's proposal in greater detail, please contact me on (202) 392-6980.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. E. Rock", with a long horizontal flourish extending to the right.

cc: Richard Smith
Regina Keeney